

Procurement Reform

Changes in state purchasing practices begin January 1, 2013

Enterprise Services manages about 1,000 contracts related to about \$1.3 billion in spending annually for a variety of goods, services and equipment, ranging from paper and pencils to computers and fuel and more.

For more than a decade, agencies sought to bring together the disparate and sometimes contradictory procurement statutes into a common framework that would enable potential contractors and purchasers to easily understand contracting laws.

The 2012 Legislature passed a [bill](#) to consolidate procurement laws under Enterprise Services. The legislation is designed to make the procurement process more transparent, competitive and efficient. The changes were codified into chapter 39.26 RCW and took effect January 1, 2013.

What will be different?

- The procurement process for goods and services will be outlined in a single chapter of law. A common approach will be used for goods and services.
- Agency employees who develop, manage or execute contracts will receive training and/or certification to ensure consistent practices are followed for all types of procurement.
- Agencies will have to submit sole-source contracts to Enterprise Services for review and approval, but will no longer submit personal-service contracts that are competitively solicited for review.
- Contractors and agencies will be allowed to submit bid documents and signatures electronically for ease of transaction.
- Agencies will notify bidders and identify awarded contractors in a central system.
- Agencies will post information about awarded contracts with Enterprise Services so the public can see basic information about all awarded contracts on a single site.
- Enterprise Services will be able to debar contractors for cause.

What will be the same?

- The bill keeps the same exemptions for the Legislature, higher education, public hospitals, client services and the data center as in current law.
- Enterprise Services will establish rules and guidelines for procurement of goods and services.
- Agencies can continue to make emergency purchases, direct-buy purchases and negotiate contracts when appropriate.

Current status

- Five new policies have been issued to implement procurement reform: delegation-of-authority; sole-source contract requirements and filing; emergency contracts; direct buy; and complaints and protest processes.
 - The rule-making for the debarment process has been initiated with a hearing on the rules scheduled for March 13, 2013.
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- The risk assessment pilot project has been launched with participation of 13 state agencies and three higher-education institutions.

Work is continuing on the implementation of procurement reform with:

- A group developing the remaining policies, which are first provided to all stakeholders for feedback before any policy is issued.
- A separate workgroup focused on the implementation of electronic signatures and electronic bidding.
- Another workgroup focused on the requirements for reporting and transparency.

Contact

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